

REMARKS

Claims 1, 3 to 11, 13 to 21, and 23 to 28 are pending in the application, of which claims 1, 11 and 21 are independent.¹ Favorable reconsideration and further examination are respectfully requested.

In the Office Action, claims 1, 3 to 9, 11, and 13 to 19 were rejected over U.S. Patent Publication No. 2005/0066324 (Delgado); claim 21 was rejected over U.S. Patent Publication No. 2003/0152904 (Doty); claims 10 and 20 were rejected over Delgado in view of U.S. Patent Publication No. 2005/0014121 (Eck); claims 23 to 26 were rejected over Doty in view of Eck; and claims 27 and 28 were rejected over Doty in view of Delgado. As shown above, Applicant has amended the independent claims to define them with greater particularity. In view of these amendments, withdrawal of the art rejections is respectfully requested.

Amended independent claim 1 is directed to a method of providing access to a software application comprised of an application core and version-specific functionality. The method includes determining a version of the software application, providing a module link that corresponds to the version, and authenticating the module link by verifying against a code that is unique to a user, where the module link is for enabling the application core to access to the version-specific functionality. The application core comprises software that is common across multiple versions of the application, the version comprises one of the multiple versions, and the version-specific functionality comprises functionality that is specific to the version of the software application.

¹ The Examiner is urged to independently confirm this recitation of the pending claims.

The applied art is not understood to disclose or to suggest the foregoing features of claim 1, particularly with respect to authenticating the module link by verifying against a code that is unique to a user.

As we understand it, Delgado describes use of an installer 114, which uses a product key to identify a version of software, and which downloads, to a computer, version-specific code that corresponds to the identified version of the software. As explained in paragraph 0081, Delgado describes facilitating a validating operation 914 to prove that a user is entitled to the software the user had identified by entering the product key:

[0081] A third sub-operation is a validating operation 914 that validates the information received in the second receiving operation 912. The validating operation 914 verifies that the information received proves that the user is entitled to the software the user had identified. The validating operation 914, may include decrypting the received information, such as a product key entered by the user and received in the second receiving operation 912, and subsequently extracting identifying and verifying information from the decrypted information.

It is known that a product key is a series of letters and digits that must be entered during software installation to authorize the user. Product keys may be obtained from the vendor and may be found, for example, on the back of the CD-ROM package, inside a paper manual, or on a separate sheet of paper that comes with the package.

Delgado indeed describes, during a validating operation 914, decrypting a product key provided by the software vendor and entered by a user during installation, to further identify the software the user is entitled to install. Delgado explicitly describes validating the product key, rather than the installer itself (the alleged counterpart to the module link).²

More specifically, as depicted in FIG. 1 in Delgado (reproduced below), we understand that Delgado would not necessarily require a version-specific installer module because the

² See, for example, paragraph 0079, lines 4-8 in Delgado.

product key provided by the software vendor would sufficiently identify and validate the legitimate ownership of the desired software products to be installed. FIG. 1 clearly shows that the associated modules 22, 26, and 28 of the installer 20 do not directly link to any specific version of the software. Instead, a product key 24, as a system input will eventually resolve which version should be installed from storage medium 10.

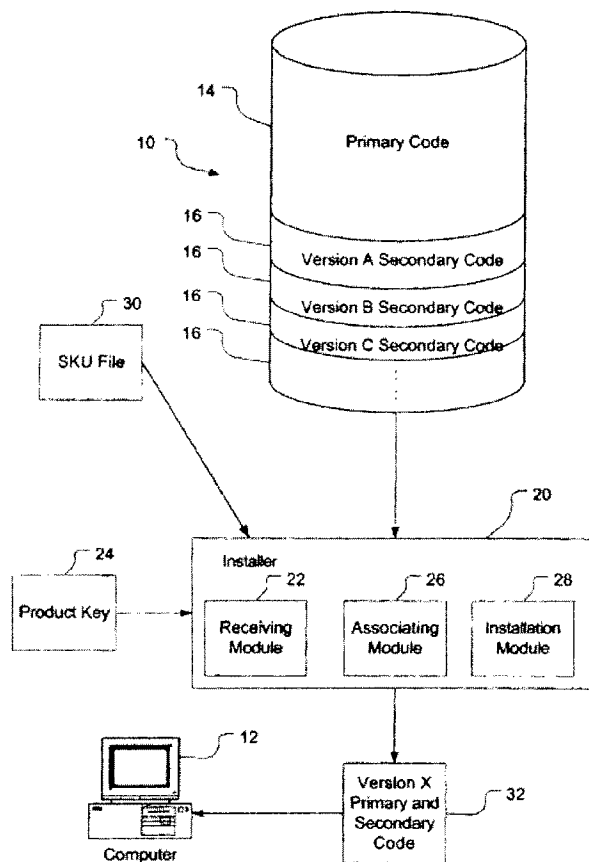


FIG. 1

Thus, Delgado does not disclose or suggest authenticating the module link by verifying against a code that is unique to a user.

Furthermore, item 2 on page 2 of the Office Action, for example, states that paragraph 0080 of Delgado describes encrypting the module link before providing the module link. We

maintain our position from the previous response and submit this is a mischaracterization of Delgado. In fact, what Delgado describes encrypting is not the installer, but rather the product key, which the installer uses to identify the version-specific software code. For at least the foregoing reasons, claim 1 is believed to be patentable over Delgado. Amended independent claim 11 is a computer program product claim that roughly corresponds to claim 1, and is also believed to be patentable over Delgado.

Amended independent claim 21 defines an electronic learning system comprising a first system to provide course content, a second system to provide a content player that presents the course content, and a third system to identify a version of the content player that is to present the course content, and to provide a module link for use with the content player. The module link corresponds to the version of the content player that is to present the course content. The content player comprises software that is common across multiple versions of the content player, the version comprises one of the multiple versions, and the module link is authenticated by a code that is unique to a user for accessing functionality that is specific to the version of the content player that is to present the course content.

Doty describes a network based educational system. However, there is no disclosure in Doty of a module link that corresponds to the version of the content player that is to present the course content, and the module link is authenticated by a code that is unique to a user for accessing functionality that is specific to the version of the content player that is to present the course content. For example, Doty discloses in paragraph 0125 that a system including different versions and modules may have a unique DS, ID, but to the extent this feature is being referenced in Doty, we submit that Doty does not teach or suggest a module link that

corresponds to the version of the content player that is to present the course content, and the module link is authenticated by a code that is unique to a user for accessing functionality that is specific to the version of the content player that is to present the course content. As presented above, Delgado is not understood to disclose or to suggest this feature either.

For at least the foregoing reasons, claim 21 is believed to be patentable.

The remaining art is not understood to disclose or to suggest the foregoing features of claims 1, 11 and 21. Accordingly, those claims are believed to be allowable.

Each of the dependent claims is believed to define patentable features of the invention. Each dependent claim partakes of the novelty of its corresponding independent claim, in light of the foregoing amendments, and, as such, has not been discussed specifically herein.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

In view of the foregoing amendments and remarks, Applicant respectfully submits that the application is in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

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Please charge any deficiency in fees or credit any overpayment to deposit
account 06-1050, referencing Attorney Docket No. 13909-055001.

Respectfully submitted,

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